

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Dedrick Cornelius Hart

Docket No. 4:15-CR-9-1BO

Petition for Action on Supervised Release

COMES NOW Derek Godwin, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dedrick Cornelius Hart, who, upon an earlier plea of guilty to Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on July 10, 2015, to the custody of the Bureau of Prisons for a term of 30 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Dedrick Cornelius Hart was released from custody on February 4, 2016, at which time the term of supervised release commenced.

A Violation Report was submitted on February 24, 2016, advising the court that the defendant submitted to a urine test on February 12, 2016, which tested positive for marijuana. The defendant subsequently admitted to using marijuana on February 7, 2016. On February 26, 2016, the court agreed to take no action as the defendant was reprimanded for that conduct and a referral for substance abuse treatment was administered.

A Petition for Action was submitted on May 5, 2016, advising the court that the defendant submitted to a urine test on April 8, 2016, which tested positive for marijuana. The defendant denied use; however, the specimen was confirmed positive by Alere Laboratories on April 17, 2016. The defendant was also enrolled in the Surprise Urinalysis Program, and failed to appear for his urinalysis on February 22, 2016, and March 18, 2016. On May 6, 2016, the court agreed to modify the conditions of supervised release to include 2 days BOP confinement and imposition of the DROPS Program to begin at the Second Use Level.

It was also reported that on March 12, 2016 the defendant was charged with a new criminal offense of Possession of ½ Ounce or Less of Marijuana in Lenoir County, North Carolina (16CR701287). The defendant denied guilt in this matter. The court agreed that no action be taken until the pending charge is adjudicated in state court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

The defendant is enrolled in the Surprise Urinalysis Program and failed to appear for urinalysis tests on May 19, 2016, and July 14, 2016.

The defendant was instructed by the probation officer to obtain a substance abuse assessment at PORT Human Services on May 3, 2016, as result of the positive urinalysis on February 12, 2016. The defendant failed to make an appointment with PORT Human Services.

Dedrick Cornelius Hart
Docket No. 4:15-CR-9-1BO
Petition For Action
Page 2

The probation officer has made numerous attempts to establish contact, including phone calls, text messages, random home visits, collateral contacts with the defendant's family, and letters mailed to the residence between June 17, 2016, and September 21, 2016. On September 20, 2016, this officer made contact with Mr. Hart's mother at her residence, and advised that should Mr. Hart not report to the probation officer, court proceedings would be initiated. Mr. Hart subsequently reported to the U.S. Probation Office in Jacksonville, North Carolina on September 23, 2016.

The probation officer recommends imposition of 60-days curfew with location monitoring as a sanction for the ongoing non-compliant conduct.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer. The defendant must pay all of the cost of the program.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Derek Godwin
Derek Godwin
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: September 26, 2016

ORDER OF THE COURT

Considered and ordered this 27 day of September, 2016, and ordered filed and made a part of the records in the above case.

Terrence Boyle
Terrence W. Boyle
U.S. District Judge